



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF WATER

MAY 24 2019

Messrs. Michael Ozaeta and Thomas Cmar
Earthjustice
1617 John F. Kennedy Boulevard
Suite 1130
Philadelphia, PA 19103

Re: FOIA Request: EPA-HQ-2019-001328 Interim Response

Dear Messrs. Ozaeta and Cmar:

This letter responds to the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA or Agency) on November 9, 2018 in which you requested any of the following created, stored, or received after November 1, 2017:

- All records created, stored, or received by the EPA Administrator, any staff in the Office of the Administrator, any staff in the Office of General Counsel, or any staff in the Office of Water concerning reconsideration of the Steam Electric ELGs rule or the postponement of its compliance deadlines;
- All records reflecting communications between EPA (or the Department of Justice) and the Utility Water Act Group, the law firm Hunton & Williams LLP, and/or any other entity or individual representing an electric generating utility or the utility industry, concerning the Steam Electric ELGs rule, including reconsideration of the rule or postponement of its compliance deadlines; and
- All records reflecting communications between EPA (or the Department of Justice) and the White House, the U.S. Small Business Administration, the Tennessee Valley Authority, or any other federal agency concerning the Steam Electric ELGs rule, including reconsideration of the rule or postponement of its compliance deadlines.

Following discussions with you, the Agency refined its search to, at this time, only include those e-mails to or from outside parties with the following six specific custodians:

- Ronald Jordan;
- Jan Matuszko;
- Richard Benware;
- Robert Wood;
- Sean Ramach; and
- Michael Scozzafava.

The Agency is now releasing 422 pages of these records in response to your request. We determined that portions of these documents should be withheld pursuant to: 5 U.S.C. § 552(b)(6), Personal Privacy. The records are exempt from disclosure because they contain personal information which would be an unwarranted invasion of personal privacy if released (PP).

This is an interim release and EPA continues to process the remainder of your FOIA request. EPA is not closing your request at this time. When your request is closed, you will receive information concerning your appeal rights for any part of EPA's response. Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or call (202) 566-1667. Lastly, you may also seek assistance from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8610 Adelphi Road, College Park, MD 20740-6001; email: ogis@nara.gov; telephone: (202) 741-5770 or (877) 684-6448; or fax: (202) 741-5769.

If you have any questions, please contact M. Ahmar Siddiqui at Siddiqui.Ahmar@epa.gov or call him at (202) 566-1044.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Wood", written over a horizontal line.

Robert Wood, Director
Engineering and Analysis Division